

BOARD OF APPEAL REFERRALS

JULY 9, 1981

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2. Z-5243 Moritz O. Bergmeyer
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165 Mt. Vernon Street, Boston
4. Z-5271 Ebenezer Baptist Church
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9. Z-5283 Fiorentina Ferrara
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11. Z-5288 Carl Sutura (owner), Lewis Chemical Corporation (occupant)
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12. Z-5289 William S. Niven
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13. Z-5294 Mary G. and Catherine F. O'Connell
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15. Z-5298-5302 Apple Orchard Trust
2176-A-B-C-D Centre Street, West Roxbury
16. Z-5305 Robert E. Joyce
500 East Eighth Street, South Boston

MEMORANDUM

JULY 9, 1981

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 7/21/81

55,500 square feet of land.

Z-5240 - 5242
Paul Morris (Proposed Purchaser)
14-16-18 Leverett Ave., East Boston
near Swan Ave.

District(s): apartment _____ general business _____ industrial _____
residential R-.8 _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Erect three 3-story 12-unit apartment structures.

Violation(s):
Section

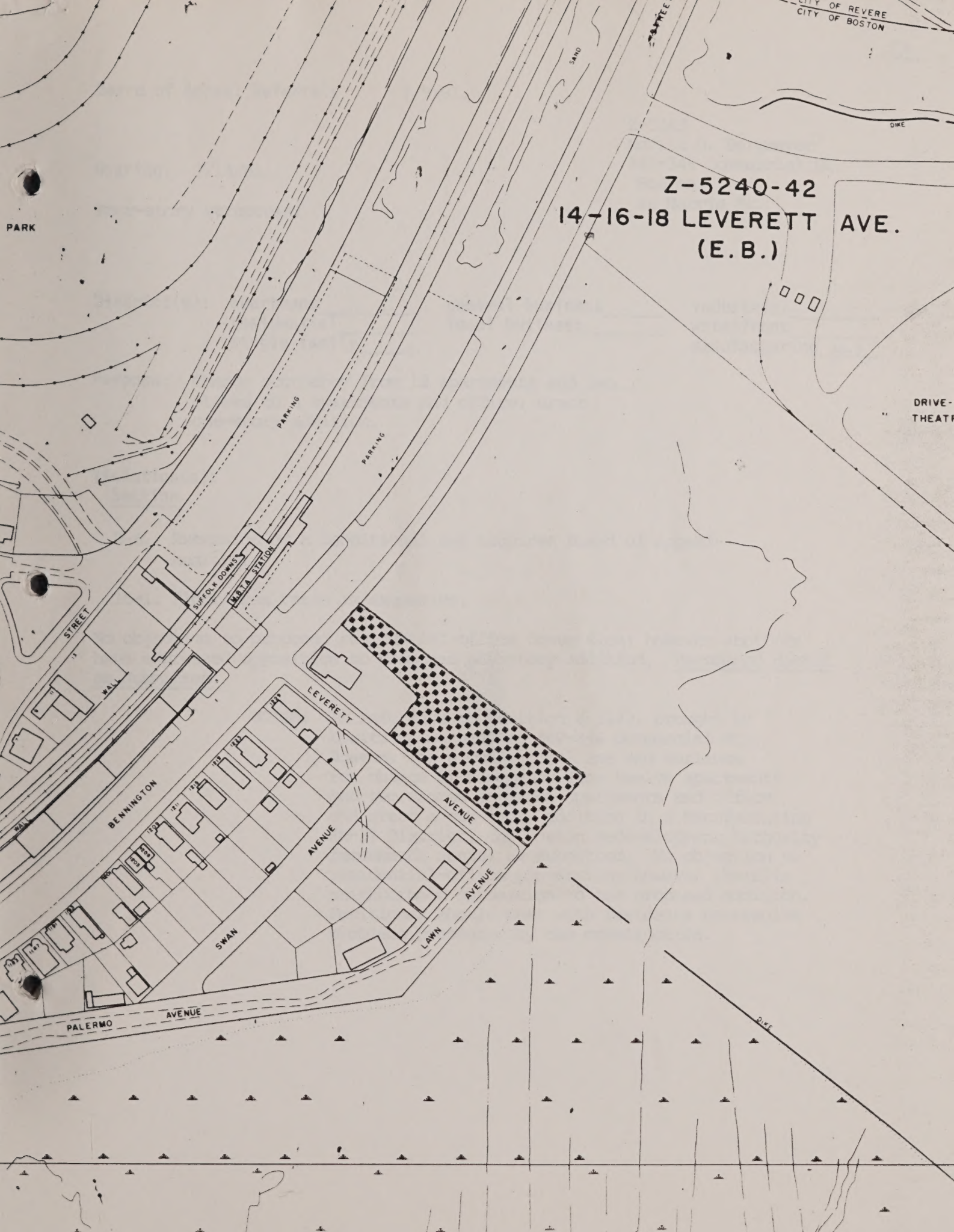
10-1. Parking not allowed in required front yard.

20-1. Rear yard is insufficient.

Scale and density of proposed development is incompatible with adjacent one and two family properties. Leverett Avenue residents are opposed. Plan indicating unit reduction, improved parking and circulation with landscape screening could be supported. Recommend denial.

VOTED: In reference to Petitions Z-5240-5242, brought by Paul Morris, 14-16-18 Leverett Ave., East Boston, for five variances to erect three 3-story 12-unit apartment structures in a Residential (R-.8) District, the Boston Redevelopment Authority recommends denial. Scale and density of proposed development is incompatible with adjacent one and two family properties. Leverett Avenue residents are opposed. A revised plan with reduction in number of units, improved parking and circulation and with landscaped screening could be supported.

Z-5240-42
14-16-18 LEVERETT AVE.
(E.B.)



Board of Appeal Referrals 7/9/81.

Z-5243
Moritz O. Bergmeyer
342-346 Commercial St.
Boston
at Harris St.

Hearing: 7/14/81.
Four-story structure.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-2

Purpose: Change occupancy from 12 apartments and two stores to 8 apartments and office; erect one-story addition.

Violation(s):
Section

8-6. Extension of a conditional use requires Board of Appeal hearing.

15-1. Floor area ratio is excessive.

No objection to proposed residential-office conversion; however abutters have expressed opposition to proposed one-story addition. Recommend denial as submitted.

VOTED: In reference to Petition Z-5243, brought by Moritz O. Bergmeyer, 342-346 Commercial St., Boston, for a conditional use and variance for change of occupancy from twelve apartments and two stores to eight apartments and office and erect a one-story addition in a Manufacturing (M-2) District, the Boston Redevelopment Authority recommends denial as submitted. No objection to residential-office conversion; however there is neighborhood opposition to the proposed addition. Petitioner should meet with residents to resolve problems presented by the construction.



Z-5243

342-46 COMMERCIAL ST
(B.P.)

Board of Appeal Referrals

7/9/81.

Hearing: 7/14/81.

4 1/2 story structure.

Z-5270

165 Mt. Vernon St. Condominium
Helenka Currens & Sam Robert
165 Mt. Vernon St., Boston
at Brimmer St.

District(s): apartment H-2-65 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Erect two-story addition to four-unit
apartment structure.

Violation(s):
Section

20-1. Rear yard is insufficient.

Addition will be used for living room on first level and greenhouse-breakfast
area on second level. Yard violation will have no adverse effect. Abuttor
supports. Beacon Hill Civic Association has not yet reviewed proposal.
Recommend approval.

VOTED: In reference to Petition Z-5270, brought
by 165 Mt. Vernon St. Condominium, Helenka
Currens and Sam Robert, 165 Mt. Vernon St.,
Boston, for a variance to erect a two-story
addition to an apartment structure in an
Apartment (H-2-65) District, the Boston
Redevelopment Authority recommends approval.
Yard violation will have no adverse effect.



Z-5270

165 MT VERNON ST.

(B.P.)

POND

FR06

MONUMENT

STREET

BEACON

STREET

STREET

STREET

STREET

Board of Appeal Referrals

7/9/81.

Z-5271

Ebenezer Baptist Church
80 Worcester St., Boston
near Tremont St.

Hearing: 7/21/81.

3 1/2 story structure.

District(s): apartment H-2 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from Parish House & Sunday School
to Parish House, Sunday School, Day Care for 20 adults & staff.

Violation(s):
Section

8-7. Clinic not accessory to main use is conditional in an H-2 District.

In February, Authority recommended approval of similar petition; Board of Appeal dismissed without prejudice when petitioner failed to appear. Parish House has been used by the Solomon Carter Fuller Mental Health Center for several years providing daily counseling and occupational therapy programs to approximately twenty elderly patients discharged from mental hospitals. There are no overnight accommodations. Recommend approval.

VOTED: In reference to Petition Z-5271, brought by Ebenezer Baptist Church, 80 Worcester St., Boston, for a conditional use for change of occupancy from Parish House and Sunday School to Parish House, Sunday School, Day Care for 20 adults and staff in an Apartment (H-2) District, the Boston Redevelopment Authority recommends approval. Solomon Carter Fuller Mental Health Center has existed for several years providing beneficial counseling and therapy programs for the elderly.



2-5271

80 WORCESTER ST
(B.P.)

PARKING AREA

Board of Appeal Referrals

7/9/81.

Z-5272

Catherine A. Bowes

89 P St., South Boston
near East Fourth St.

Hearing: 7/28/81.

Three-story row structure.

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.8</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Legalize occupancy - three-family dwelling.

Violation(s):
Section

- 8-7. Any dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an R-.8 District.
- 14-2. Lot area is insufficient.
- 17-1. Open space is insufficient.

Proposal would have a detrimental impact on the residential character of the small row structure. No evidence submitted to justify three units. Abutters are opposed. Recommend denial.

VOTED: In reference to Petition Z-5272, brought by Catherine A. Bowes, 89 P St., South Boston, for a forbidden use and two variances to legalize occupancy for three family dwelling in a Residential (R-.8) District, the Boston Redevelopment Authority recommends denial. Proposal would have a detrimental impact on the residential character of the small row structure. No evidence to justify three units. Abutters are opposed.



FARRAGUT

EAST SECOND

STREET

EAST THIRD

STREET

EAST

BROADWAY

EAST FOURTH

STREET

EAST FIFTH

STREET

EAST SIXTH

STREET

MARINE

PARKING AREA

AQUARIUM SKATING RINK

WILLIAM

WILLIAM

DRY

Z-5272

89 P STREET (S.B.)

PUBLIC LANDING

Board of Appeal Referrals

7/9/81.

Z-5273

Barney Walsh

2149-2151 Dorchester Ave.,

Dorchester

near Valley Road

Hearing: 7/14/81.

Three-story sturcture.

District(s): apartment _____ general business _____ industrial _____
residential R-.5 local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from three to four apartments.

Violation(s):
Section

- 8-7. Any dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an R-.5 District.
- 14-1. Lot area is insufficient.
- 14-3. Lot width is insufficient.
- 14-4. Street frontage is insufficient.
- 15-1. Floor area ratio is excessive.
- 16-1. Height of building is excessive.
- 17-1. Open space is insufficient.

Occupancy existing. Building has been completely renovated. Abutttors support.
Recommend approval.

VOTED: In reference to Petition Z-5273, brought by Barney Walsh, 2149-2151 Dorchester Ave., Dorchester, for a forbidden use and six variances for change of occupancy from three to four apartments in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval. Existing occupancy will not have an adverse effect on the residential-institutional area. Building has been completely renovated.



Z-5273

2149 - 51 DORCHESTER AVE.
(DOR.)

Board of Appeal Referrals

7/9/81.

Z-5274

Michael Manfra

13 Parker St., Charlestown
near Cambridge St.

Hearing: 7/28/81.

Three-story structure.

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from one to three family dwelling.

Violation(s):
Section

8-7. Any dwelling converted for more families which does not meet the requirements of lot area is forbidden in an H-1 District.

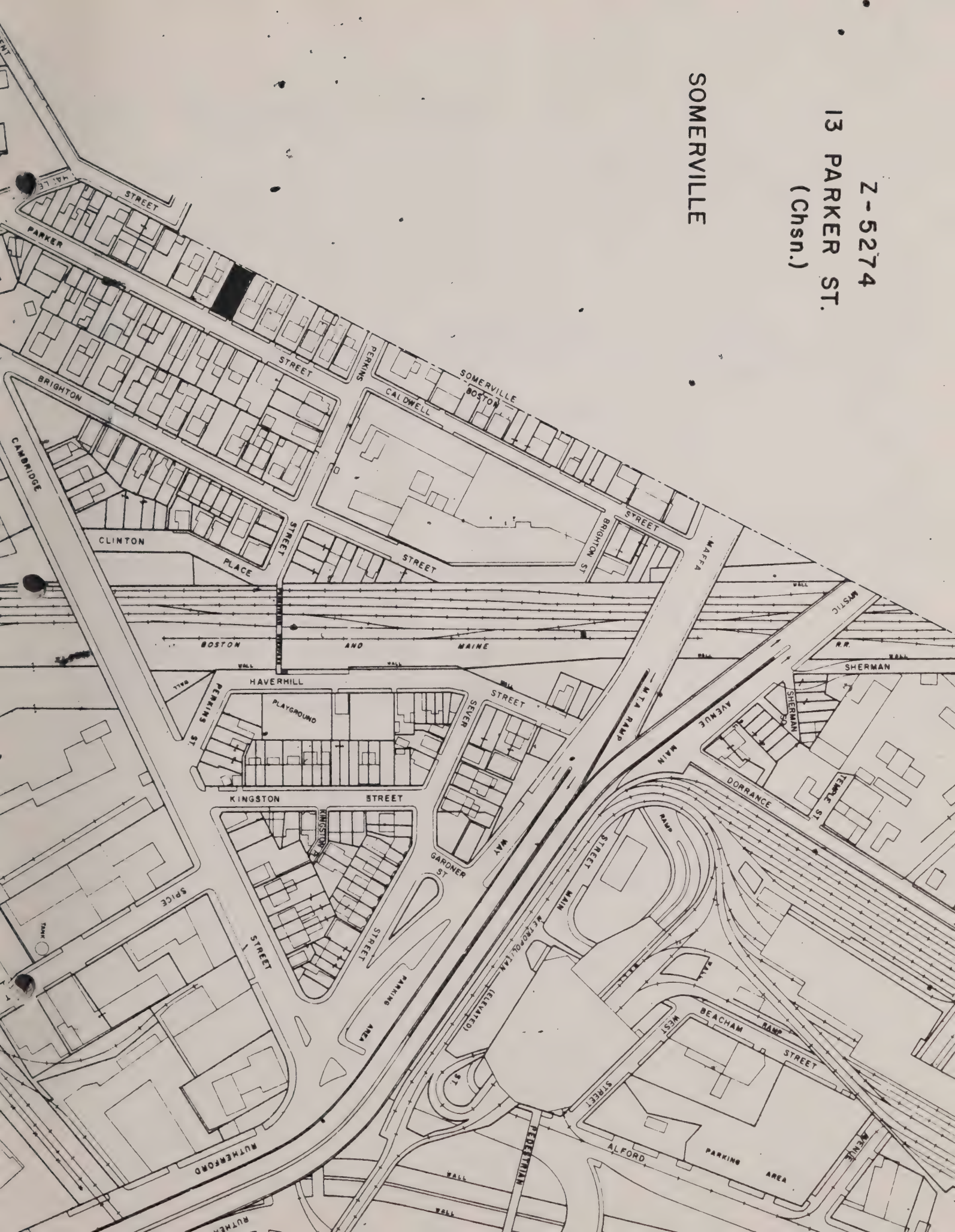
14-2. Lot area is insufficient.

Former abandoned building is being restored and substantially renovated. Proposed occupancy compatible with residential character of neighborhood. Residents have expressed support. Recommend approval.

VOTED: In reference to Petition Z-5274, brought by Michael Manfra, 13 Parker St., Charlestown, for a forbidden use and variance for change of occupancy from one to three family dwelling in an Apartment (H-1) District, the Boston Redevelopment Authority recommends approval. Former abandoned building is being restored and substantially renovated. Occupancy is compatible with residential character of neighborhood.

Z-5274
13 PARKER ST.
(Chsn.)

SOMERVILLE



Board of Appeal Referrals

7/9/81.

Z-5275

Darthora Daniels

11 Durham St., Boston

near St. Botolph St.

Hearing: 7/28/81

Four story structure.

District(s):	apartment <u>H-2</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: Change occupancy from five to six apartments.

Violation(s):

Section

Required

Proposed

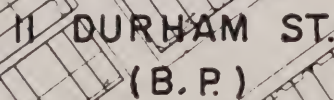
8-7. Any dwelling converted for more families which does not meet the requirements of open space is forbidden in an H-2 District.

15-1. Floor area ratio is excessive.

17-1. Open space is insufficient.

Additional unit is consistent with the residential character of the multi-family neighborhood. Recommend approval.

VOTED: In reference to Petition Z-5275, brought by Dartora Daniels, 11 Durham St., for a forbidden use and two variances for change of occupancy from five to six apartments in an Apartment (H-2) District, the Boston Redevelopment Authority recommends approval. Additional unit will not have an adverse impact on the multi-family neighborhood.



Board of Appeal Referrals

7/9/81.

Z-5283

Fiorentina Ferrara

196 Dana Avenue, Hyde Park
near Washington St.

Hearing: 7/21/81.

Two-story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.3</u>		manufacturing_____

Purpose: Use land which is part of another lot.

Violation(s):
Section

14-4. Access to rear lot is insufficient.

Last year a building permit was issued to erect a one-family dwelling on a rear lot. A subsequent letter from the Building Department indicated the access violation. This access must be over land not part of any other lot. Access to petitioner's lot is over a twenty foot wide strip one half of which is on another lot owned by petitioner and remainder owned by another party. Staff would have no objection to variance if difference between neighbors can be resolved. Recommend approval contingent upon agreement between neighbors.

VOTED: In reference to Petition Z-5283, brought by Fiorentina Ferrara, 196 Dana Avenue, Hyde Park, for a variance to use land which is part of another lot in a Single Family (S-.3) District, the Boston Redevelopment Authority recommends approval contingent upon agreement between neighbors.

Z-5283
196 DANA AVE.
(H.P.)



Board of Referrals

7/9/81.

Z-5284

Burger King Corporation (Lessee)
202-218 Brighton Ave. &
8 Higgins St., Allston

Hearing: 8/81.

One-story re.

District (srtment _____	general business _____	industrial _____
idential _____	local business <u>L-1</u> _____	waterfront _____
gle family _____		manufacturing _____

Purpose: 1 drive thru take out window.

Violation(
Section

6-4. Ince with former decision of Board of Appeal.

Area, already burdened with fast food operations, recently received State designation as a Commercial Area Revitalization District (CARD) which has objective to reinforce a "growing stable residential neighborhood" proposal will counter this objective by expanding service to transient intensifying traffic congestion at corner site.

Recommend d

NOTED: In reference to Petition Z-5284, brought by Burger King Corporation, 202-218 Brighton Ave. and 8 Higgins St., Allston, for a variance to install a drive thru take out window in a Local Business (L-1) District, the Boston Redevelopment Authority recommends denial. Area, already overburdened with fast food operations, recently received State designation as a Commercial Area Revitalization District (CARD) which has a prime objective to reinforce a "growing stable residential neighborhood". Proposal will counter this objective by expanding service to transients and intensifying traffic congestion at corner site.



202-218 BRIGHTON AV
8 HIGGINS ST.

Z-5284

(BR1)

Board of Appeal Referrals

7/9/81.

Hearing: 7/21/81.

Three-story structure.

Z-5288

Carl Sutura (Owner)

Lewis Chemical Corporation (Occupant)

12-24 Fairmount Ct., Hyde Park

at Fairmount Avenue

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-1

Purpose: Change occupancy from manufacturing of leather to storage, distribution, packaging, processing of industrial chemicals, chemicals and solvents.

Violation(s):
Section

8-7. Processing of chemicals is forbidden in an M-1 District.

Site is inappropriate. This industrial facility is located along the Neponset River adjacent to a residential section and heavily traveled Fairmount Avenue commercial area. Significant community opposition to chemical operation. Recommend denial.

VOTED: In reference to Petition Z-5288, brought by Carl Sutura & Lewis Chemical Corporation, 12-24 Fairmount Ct., Hyde Park, for a forbidden use for change of occupancy from manufacturing of leather to storage, distribution, packaging, processing of industrial chemicals, chemicals and solvents in a Manufacturing (M-1) District, the Boston Redevelopment Authority recommends denial. Site is inappropriate. This industrial facility is located along the Neponset River adjacent to a residential section and heavily traveled Fairmount Avenue commercial area. Significant community opposition to chemical operation.

Aug 6

22

1963
STIRING + PKG
CHEMICALS



NEPONSET

AVENUE

WALNUT

STREET

STREET

MAPLE

NEW HAVEN

HARTFORD

STREET

STREET

DAVIDSON

PIERCE

RIVER

HIGHWAY

12-24 FAIRMOUNT CT
(H.P.)

2-5288

Board of Appeal Referrals

7/9/81.

Z-5289

William S. Niven

67 Chestnut St., Charlestown
near Mt. Vernon St.

Hearing: 7/28/81.

3 1/2 story structure.

District(s): apartment H-1 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: Legalize occupancy - two family dwelling.

Violation(s):

Section

14-2. Lot area is insufficient.

Occupancy existing and consistent with occupancies of surrounding residential properties. Building in need of repair, will be rehabilitated.
Recommend approval with proviso.

VOTED: In reference to Petition Z-5289, brought by William S. Niven, 67 Chestnut St., Charlestown, for a variance to legalize occupancy for two family dwelling in an Apartment (H-1) District, the Boston Redevelopment Authority recommends approval provided exterior alteration plans are submitted for design review.



Z-5289

67 CHESTNUT ST.
(Chsn.)

Board of Appeal Referrals

7/9/81.

Z-5294

Mary G. & Catherine F. O'Connell
133 Nonantum St., Brighton
at Cufflin St.

Hearing: 7/21/81.

2 1/2 story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential <u>R-.5</u>	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Subdivide lot.

Violation(s):
Section

14-2. Lot area is insufficient.

Subdivision will allow sale of rear portion of lot for proposed construction of a one-family dwelling. Violation will not have an adverse effect on abutting properties. Recommend approval.

VOTED: In reference to Petition Z-5294, brought by Mary G. and Catherine F. O'Connell, 133 Nonantum St., Brighton, for a variance to subdivide lot in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval. Violation will not have an adverse effect on abutting properties.

Z-5294

133 NONANTUM ST. .

(BRI.)



Board of Appeal Referrals

7/9/81.

Z-5296

Mary C. McLeod

595A-595 East Sixth St.,

South Boston

near K Street

Hearing: 7/28/81.

Three-story structure.

District(s): apartment H-1-50 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Legalize occupancy-three family dwelling.

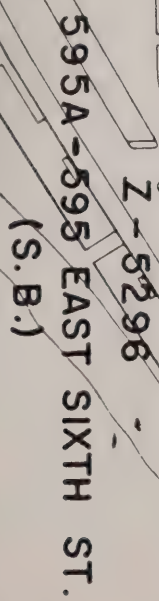
Violation(s):
Section

8-7. Dwelling converted for more families which does not meet
the lot area requirement is forbidden in an H-1-50 District.

14-2. Lot area is insufficient.

There is no record of legal occupancy. Proposed three family dwelling is
consistent with residential neighborhood. Vacant building would be restored
and renovated. Community has indicated support. Recommend approval.

VOTED: In reference to Petition Z-5296, brought by
Mary C. McLeod, 595A-595 East Sixth Street,
South Boston, for a forbidden use and variance
to legalize occupancy for three family dwelling
in an Apartment (H-1-50) District, the Boston
Redevelopment Authority recommends approval.
Occupancy is consistent with residential
neighborhood. Vacant building would be restored
and renovated.



Board of Appeal Referrals

7/9/81.

Z-5298 - 5302
Apple Orchard Trust
2176-A-B-C-D Centre St.,
West Roxbury
near Bogandale Road

Hearing: 7/28/81.

115,392 square feet of land.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.5 _____ manufacturing _____

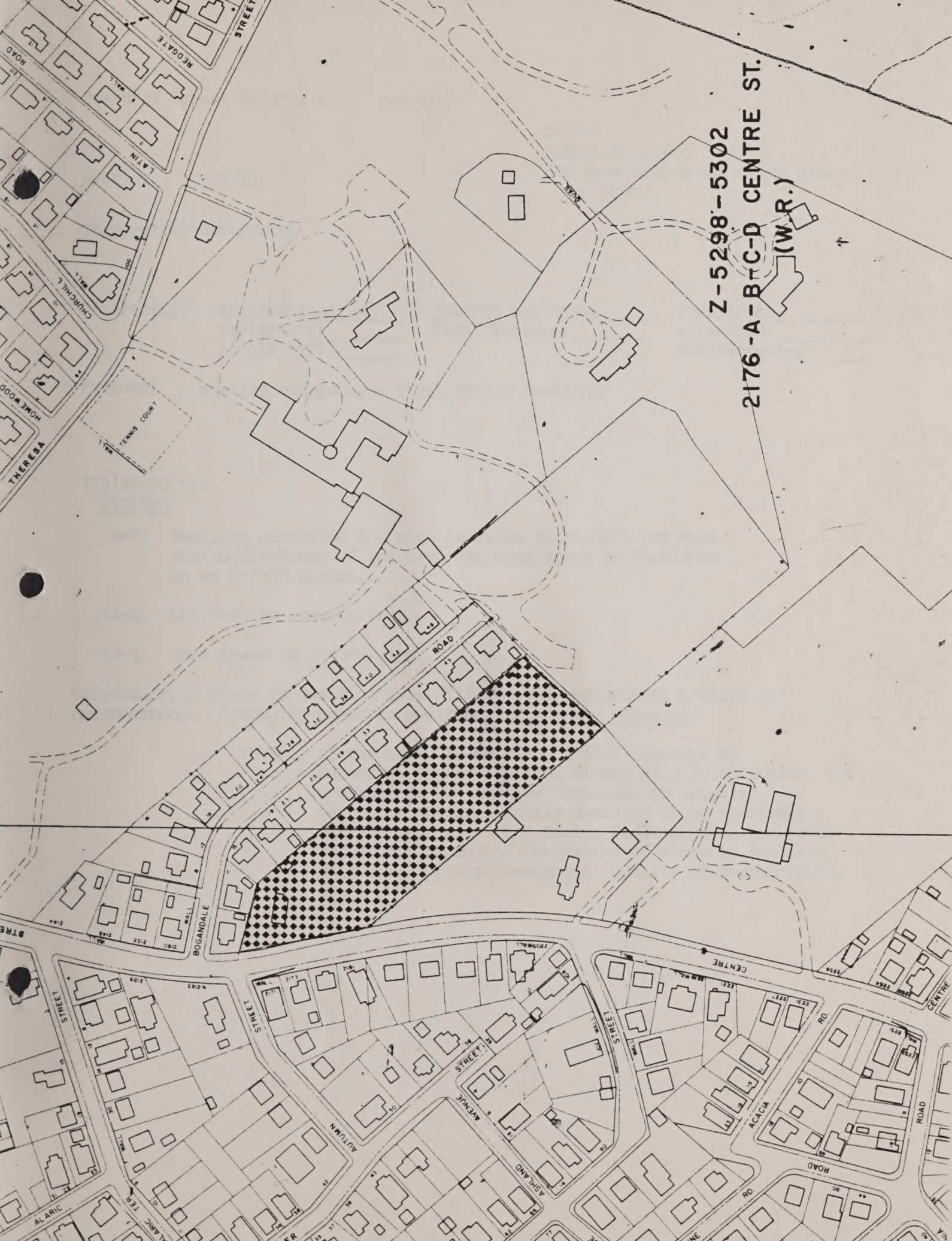
Purpose: Erect five townhouse apartment structures;
8, 10, 7, 6, 9 units respectively.

Violation(s):
Section

- 8-7. Multi-family dwelling is forbidden in an S-.5 District.
- 14-2. Lot area is insufficient.
- 14-5. Unobstructed access to building is insufficient.
- 18-1. Front yard is insufficient.
- 20-1. Rear yard is insufficient.

Proposal is unwarranted, totally incompatible with predominant single family neighborhood. Density is excessive; access to development would create serious traffic and safety problems on Centre Street. Overwhelming neighborhood opposition. Recommend denial.

VOTED: In reference to Petitions Z-5298-5302, brought by Apple Orchard Trust, 2176-A-B-C-D Centre Street, West Roxbury, for five forbidden uses and eighteen variances to erect five townhouse apartment structures (40 units) in a Single Family (S-.5) District, the Boston Redevelopment Authority recommends denial. Proposal is unwarranted, totally incompatible with predominant single family neighborhood. Density is excessive; access to development would create serious traffic and safety problems on Centre Street. Overwhelming neighborhood opposition.



Z-5298-5302
2176-A-B-C-D CENTRE ST.
(W.R.)

Board of Appeal Referrals 7/9/81.

Z-5305

Robert E. Joyce

500 East Eighth St., South Boston
at H St.

Hearing: 7/28/81

Three-story structure.

District(s):	apartment <u>H-1-50</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: Legalize occupancy - three family dwelling.

Violation(s):
Section

8-7. Dwelling converted for more families which does not meet the requirements of lot area and open space is forbidden in an H-1-50 District.

14-2. Lot area is insufficient.

17-1. Open space is insufficient.

Conversion of store to dwelling unit will improve residential quality of neighborhood. Community supports petition. Recommend approval.

VOTED: In reference to Petition Z-5305, brought by Robert E. Joyce, 500 East Eighth St., South Boston, for a forbidden use and two variances to legalize occupancy as three family dwelling in an Apartment (H-1-50) District, the Boston Redevelopment Authority recommends approval. Conversion of store to dwelling unit will improve residential quality of neighborhood.



